

PART C

SECTION I GENERAL REGULATIONS

Article 6 Screening Device Regulations

1. General:

The regulations set forth in this Article are not exclusive and shall be subject to such special conditions as may be imposed by the Board of Zoning Appeals or the City Planning Commission in the exercise of their respective functions as set forth elsewhere in this Ordinance, and shall also be subject to regulations applying to specific uses. These regulations shall not be deemed to supersede any other laws applicable to the City of Syracuse which may provide other or more stringent controls, and are intended to supplement same with reference to the scope of regulations encompassed herein:

2. Height and Location:

a. Front Yard

No screening device shall exceed four (4) feet in height if placed within a required front yard.

b. Side and Rear Yards

No screening device shall exceed six (6) feet in height within required side and/or rear yards.

c. Corner Lots

On corner lots, that portion of a lot contiguous to a public right-of-way shall be considered as a front yard area for the purpose of applying the regulations herein.

d. Special Height Allowance

Within Commercial or Industrial Districts only, screening devices may attain a height of eight (8) feet within any yard area, required or otherwise.

e. Waivers

The Zoning Administrator may approve the location or height of a screening device otherwise prohibited by this paragraph upon a showing by the applicant that such fence will not be detrimental to the interests of adjoining uses whether existing or permitted, or the general health, safety or welfare of the community with particular attention to vehicular or pedestrian traffic. No application shall be decided until after a hearing with the applicant and such other parties as the Zoning Administrator deems necessary.

3. Plantings:

Plantings except trees shall not exceed two (2) feet in height if placed within ten (10) feet of the front property line.

There shall be no limit to the height of plantings if located more than ten (10) feet from the front property line.

Trees may be located within the required front yard provided all branches are trimmed up to a height of seven (7) feet.

4. Type:

- a. Screening devices permitted within required front yards shall be of an open design such as chain link, ornamental iron, rail, and picket where the ratio between space and fence material is at least 50:50 or its equivalent. Opaque fences such as basket-weave and stockade are not permitted within the required front yard.
- b. Barbed wire or electrical screening devices shall not be used. Exception to this prohibition shall apply to properties zoned Industrial A and B which are located farther than five hundred (500) feet from property zoned residential or used for residential purposes.
- c. Screening devices required for off-street parking facilities shall be constructed in accordance with the requirements of Part C, Section III, Article 1 and Part C, Section I, Article 5 of the Zoning Ordinance.

5. Maintenance:

All screening devices and plantings shall be maintained in a sound and safe condition at all times.

6. Nonconforming Screening Devices:

Where a lawful screening device exists at the effective date of adoption or amendment of this Article that could not be constructed under the terms contained herein by reasons of restrictions on height, visibility characteristics, location, or any other requirement concerning said screening device, such screening device may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such screening device may be enlarged or altered in a way that increases its nonconformity, but any such screening device or portion thereof may be altered to decrease its nonconformity.
- b. Where a screening device is damaged due to any cause, including deterioration due to the elements, or is declared unsafe, and the cost of restoration, or correction exceeds 50% of the replacement cost of the entire screening device, the same shall not be so corrected or restored except in compliance with the provisions of this Article.
- c. Should such a screening device or portion thereof be relocated within a lot, that portion so relocated shall be subject to the provisions of this Article.
- d. Screening devices heretofore allowed by special act of the Common Council of the City of Syracuse shall be continued subject to the restrictions set forth in said special legislative acts but otherwise subject to the provisions of this Paragraph 6.

7. Passageway Restrictions:

No screening device or portion thereof in excess of two and one-half (2½) feet in height shall be located closer than three (3) feet to the exterior wall of a principal or accessory structure, except where said screening device is connected to said exterior wall or terminated at a post or similar fixture adjacent to said exterior wall. For the purpose of avoiding narrow passageways, that portion of a screening device terminating at the exterior wall of a principal or accessory structure or to a post or fixture adjacent thereto, shall not have an interior angle with reference to the exterior wall of said structure less than forty five (45) degrees.

All portions of a lot enclosed by a screening device shall be made accessible for fire fighting purposes by the installation of appropriately-located pedestrian gates not less than three (3) feet in width.